

## TWENTY-FIVE YEARS AGO†

### EXCERPTS FROM OUR STATE MEDICAL JOURNAL

Vol. XIV, No. 8, August, 1916

*From Some Editorial Notes:*

*X-Ray Plates and Negligence.*—Some time ago, when the House of Delegates of the State Society wisely made the rule that the Society would not defend a member in an action for damages for alleged malpractice against him, when, in the nature of the case, an x-ray plate should have been taken and kept, and was not so taken and kept, the JOURNAL published some items to the effect that before very long courts would consider it negligence not to take such plates. The truth of that prophecy is being made manifest very rapidly. . . .

Quite recently one of our members here in California was obliged to defend a suit against him at his own expense, because he could not, or would not, offer any explanation of why he had not taken an x-ray plate.

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*Social Insurance: Excerpts from a Letter.*

To Members of the State Medical Society:

Dr. I. M. Rubinow, the author of "Social Insurance," who has come to California to assist in the work of the Social Insurance Commission appointed by Governor Johnson, met with the latter commission and with our committee on July 8. Those present besides Doctor Rubinow were Miss Katherine Felton, Mrs. Frances Noel, Mr. George Dunlop, Dr. Flora W. Smith, Miss Barbara Nachtrieb, and Doctors Sherman, Reinle, Gundrum, Tucker and Bine, representing our committee; Doctors P. M. Jones and Morton Gibbons. That there is a great deal of work to be done, many statistics to be compiled, and much to be discussed, can readily be imagined. This meeting lasted for four hours, and the discussions showed us how few actual facts pertaining to California conditions are now available.

It will be necessary for us, in our study of sickness and of health insurance in this State, to get at certain figures. They are not only essential to us for our study; they are essential to you, for your protection, should the State eventually decide in favor of social insurance. There is no reason why the same methods should be enforced with health as have been applied with accident insurance. With the accident compensation the lowest possible premiums are charged, so as to make the scheme attractive to employers. After deducting for administration, cash benefits to the injured, and, in the case of private companies, for dividends to stockholders, the question of paying the doctor comes up. He gets what is left. . . .

Questionnaires will soon be forwarded to every member of the State Society. It is hoped that answers will be promptly returned. . . .

Further notice of the September meeting will be given in these columns.

RENÉ BINE.

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*The Preparedness Parade.*—This editorial comment is necessarily written before the occurrence of the much-advertised Preparedness Parade, July 22d, and, in fact, as the parade is being held, this part of the JOURNAL is on the press. However, speaking from a future view of what is going on, it seems very probable that the parade will consist

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## BOARD OF MEDICAL EXAMINERS OF THE STATE OF CALIFORNIA†

By CHARLES B. PINKHAM, M. D.

Secretary-Treasurer

### News

"Organized medicine in California has undertaken many measures to assure adequate medical care to the people in that state. Another important step was taken last month when the California Physicians' Service, organized under the auspices of the California Medical Association in 1939, signed a contract to provide medical care to low-income farm families who have borrowed money from the Farm Security Administration (FSA). Approximately 5,000 rural families come under the initial contract, which covers three areas. If it works out in these places, it will be extended to the rest of the state, according to Laurence Hewes, regional director of the FSA. The farm families will have free choice of doctors on the panel of the California Physicians' Service. They will obtain medical care, hospitalization, and drugs. The doctors will see patients in their homes or in the doctors' offices. Cost of the service will be borne by the patients to the extent of their ability. The cost is estimated at about \$50 a family a year. Of this average, the farmers will pay \$35 and the Government will underwrite the remaining \$15. The California contract is unique in that it offers the first agreement between the Government and the medical profession for a program of medical care to rural rehabilitation borrowers on a state-wide basis. Medical plans of country-wide scope are now in operation by the Farm Security Administration in twenty-eight states, where medical service is being furnished to almost 68,000 families. . . ." (San Francisco *Slav-American News*, May 23, 1941.)

"None save duly licensed psychiatrists may diagnose or treat mental disorders, the State Board of Medical Examiners was advised yesterday by Attorney-General Earl Warren's office. Psychiatry, Warren held, constitutes the practice of medicine and hence requires a license. A psychologist, on the other hand, may teach or study the phenomena of behavior and not violate any State laws. 'If, however,' the opinion added, 'a so-called psychologist uses the word "doctor" in his signs or advertisements, without holding a medical license, he is guilty of violating the law.' Advice of the Attorney-General was sought to define the Medical Board's powers over psychologists and psychiatrists." (San Francisco *Examiner*, May 24, 1941.)

"Creation of a State department of medical care to provide free medical, hospital, maternal and mortuary service, was proposed in an initiative constitutional amendment sent to the Attorney-General's office for titling yesterday. If the measure gets enough signatures, it will go on the ballot at the next State election. The proponent was Avery C. Moore of Oakland. The practice of medicine would be classed as a public utility. Doctors who went exclusively into State service would be classed as regulars and paid a salary, while those in private practice would be listed as associates, who would be paid when they worked for the State, but apparently would have little, if any, practice. The State's credit would be pledged for the support of the agency, with the department empowered to supplement legislative appropriations with funds it acquired." (San Francisco *Examiner*, May 23, 1941.)

(Continued in Back Advertising Section, Page 31)

† This column strives to mirror the work and aims of colleagues who bore the brunt of Association activities some twenty-five years ago. It is hoped that such presentation will be of interest to both old and new members.

† The office addresses of the California State Board of Medical Examiners are printed in the roster on advertising page 6.



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Today what does the medical man demand of the springs? Nothing—and he gets almost what he demands (yet the layman finds something). But the saddest part of it is he leaves undeveloped a vast resource of his state and his profession. Until the physician recognizes the various types of waters and their indications, all kinds of cases will go to all kinds of springs. Results have come from good luck on the part of the patients rather than from good management on the part of the physicians; thus have arisen the "extravagant claims and literature" which the medical profession resents, and for which it is in part responsible.

Let us hope that R. B.'s appeal for better interest on the part of the profession be heeded.

Yours sincerely,

R. H. HUNT.

### BOARD OF MEDICAL EXAMINERS

(Continued from Text Page 112)

"Mrs. Clara de Brault today entered a plea of guilty to three of nine charges of performing illegal operations at 1054 Evelyn Avenue, and asked for probation in Alameda

County Superior Court. . . . Representatives of the District Attorney's office moved for dismissal of the other six charges in the Alameda County Grand Jury indictment when Mrs. de Brault pleaded guilty to the three charges. . . ." (Berkeley Gazette, May 22, 1941.) (Previous entries, April and May, 1941.)

"Three women and one man were denied probation and given prison sentences by Judge Fred Miller today for conspiring to commit illegal operations. Another man, who played a lesser rôle in the operations of the ring, was sentenced to 180 days in jail as a condition of two years' probation. They were members of the illegal operations ring headed by Mrs. Mae Ramsey, who recently pleaded guilty to two counts and was sentenced to serve four to ten years in the women's prison at Tehachapi. Those sentenced today were on one count each, or two to five years. They include a son and a daughter of Mrs. Mae Ramsey. Claude Ramsey will go to San Quentin Prison and the daughter, Marguerite Baird Green, will join her mother at Tehachapi. The others given prison sentences to Tehachapi were Lillian Foster and Grace Balch, both of Wilmington. William Crissman of Los Angeles received the only probationary sentence. Mrs. Esther Ramsey, who pleaded guilty when the members of the ring were first arraigned, yesterday was granted full probation. She is the wife of Claude Ramsey, and probation was granted to her yesterday by Superior Judge Leslie E. Still after her counsel had informed the court that she assisted the prosecution in every way, and that she had severed all relations with the Ramsey family. . . . The sentences mark the end of one of the most successful prosecutions for illegal oper-

(Continued on Next Page)

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### **BOARD OF MEDICAL EXAMINERS**

(Continued from Preceding Page)

ations on record. The prosecutions began last December with raids on one of three places operated by the ring in Torrance and Wilmington." (Long Beach *Press-Telegram*, June 9, 1941.) (Previous entries February, March, and June, 1941.)

"Alexis Nicholas Romanoff, thirty-seven, who says he is the son of the late Czar Nicholas II of Russia, was found guilty of illegally entering the United States, and today awaited action of probation officers on his application for probation. Federal Judge Ralph E. Jenney deferred sentence to June 17, pending outcome of the probation officers' investigation. Romanoff testified for more than an hour yesterday, repeating for the court what he had already told border patrol officers and immigration authorities. He said he was 'deported' from Mexico on March 20 at the point of a gun by Mexican authorities after having been kidnaped in Reno, Nevada, handcuffed, driven to Tiajuana and abandoned. After hearing counter-testimony of border patrol officers and persons who had seen Romanoff in Tiajuana, the jury declared Romanoff guilty of voluntarily leaving the United States and voluntarily reentering the United States illegally." (San Francisco *News*, May 23, 1941.) (Previous entries, May and June, 1941.)

"Appointment of Carley V. Porter and Dr. Glenn Myers, both of Compton, as members of the board of trustees of Norwalk State Hospital was confirmed this week by the California Senate, according to word arriving here yesterday from Assemblyman Ralph Dills. Porter, member of

(Continued on Page 34)

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## BOARD OF MEDICAL EXAMINERS

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the union secondary district board of trustees, and Doctor Myers of the Compton Sanitarium, will serve terms expiring April 8, 1945. The appointments by Governor Culbert L. Olson placed Alfred D. Boone and Dr. Arthur R. Timme on the board also." (Compton Herald, April 25, 1941.)

"Accused of bilking an aged Santa Cruz woman out of \$600, most of her life savings, Joseph D. Menta, fifty-five, went on trial in federal court in San Francisco yesterday for impersonating a federal officer. Miss Agnes Thrift, seventy-six, member of a pioneer family in Santa Cruz, testified Menta took money from her over a long period

on representation he was a herbalist who could cure her of arthritis. He gave the postoffice in Santa Cruz as his address, she said, and told her the money she gave him was 'going to the Government.' She gave him \$50 on one occasion, she said, when he told her he had to pay expenses of a helper to go with him to Yosemite Park in the winter time to get a particular herb from beneath the snow. She said she financed other supposed herb-gathering trips along the California Coast. . . ." (Santa Cruz Sentinel, May 22, 1941.)

"Dr. Fred Rossiter, Los Angeles and Santa Fe Springs physician, who was found guilty in Whittier Township Justice Court recently of violating the State Business and

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## BOARD OF MEDICAL EXAMINERS

(Continued from Page 34)

Professional Act, had his original sentence of thirty days revoked by Judge Edward J. Guirado. Doctor Rossiter was charged with performing an illegal operation on a Long Beach woman. . . . (Whittier News, May 1, 1941.) (Previous entry, April, 1941.)

"Fred N. Folsom, seventy-year-old physician, was found guilty of performing a criminal operation by a jury of seven women and five men at 2:30 o'clock this morning.

The jurors had pondered over the evidence submitted them in a three and a half-day trial since 3:45 o'clock yesterday afternoon. . . . The jury foreman, Gernard Groverman, addressed the judge after the verdict had been recorded, declaring that 'it is the unanimous request of the jurors that the court extend such clemency in the case as it is possible for you to do.' (Santa Rosa Press-Democrat, May 2, 1941.) (Previous entries, March and May, 1941.)

"H. F. McKay, a carpenter, is in the Tehama County Jail on a charge of practicing medicine without a license. J. W. Williams, Special Agent for the State Board of Medical Examiners, said he obtained a treatment from McKay following receipt of informal complaints that the man was posing as a doctor. His bail was set at \$250. According to the investigator, McKay said he attended medical school at the University of California, University of Michigan, Queens College in Canada, and medical schools in England and Germany. When asked why he did not have a license to practice, he told the officers his diplomas were in storage in Sacramento, and for his kind of treatments he did not believe he needed a license. Williams said that McKay, under questioning, admitted that he had been practicing only about eight months and was a carpenter by trade. . . . (Sacramento Bee, May 9, 1941.)

"Dr. Eugene C. Nelson, prominent local physician, who had had infrequent brushes with the authorities, is scheduled to go on trial in Superior Court May 23 to answer charges of murder, growing out of the death of an alleged

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patient upon whom he had assertedly performed an abortion. Doctor Nelson will be defended in the case to be argued before Judge Clement D. Nye, by Attorneys Hugh Culler and Lloyd Cornelius Griffith." (Los Angeles Eagle, May 8, 1941.) (Previous entries, April, 1940; April and May, 1941.)

"If Dr. Ralph C. Bennett, 59-year-old former Illinois State's attorney and former University of Oregon dean of men, struck Mrs. Helen Chivers and her process-server with a hammer, he did it only in self-defense, he prepared to maintain before a jury in Superior Judge A. A. Scott's court today. Doctor Bennett was expected to represent that the altercation in front of the El Monte Justice Court, where he had been in litigation with Mrs. Chivers, a Baldwin Park rest home proprietress, over a bill for the care

of his aged mother, was motivated by his constant fear of violence because of a previous assault by a process-server. . . ." (Los Angeles Herald-Express, June 3, 1941.) (Previous entry, February, 1941.)

"Adoption of a new fee schedule for the Municipal Employees' Health Service System was hailed yesterday by Dr. Harold A. Fletcher, president of the San Francisco County Medical Society, spokesman for the 1,040 doctors who serve the System. . . ." (San Francisco Examiner, May 17, 1941.)

"Redlands today nods congratulations to its only centenarian, Dr. Zeeb Gilman. He plans quiet observance of

(Continued on Next Page)

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## BOARD OF MEDICAL EXAMINERS

(Continued from Preceding Page)

his one hundredth birthday anniversary at his home, 836 Washington Street. Doctor Gilman is the oldest living graduate of Dartmouth College and Columbia University. . . ." (San Bernardino Sun, May 13, 1941.)

"Irwin A. Cole, fake Alameda doctor, who was sentenced to life imprisonment for the murder of Mrs. Betty Buckles, as result of an illegal operation, was given a future parole from Folsom prison today by the Board of Prison Terms and Paroles. 'Dr.' Cole was captured in Buffalo after the body of Mrs. Buckles, mother of two, was found in the operating room of his offices in 1927. He will be released to New York authorities in March, 1942. . . ." (San Francisco Call-Bulletin, May 19, 1941.)

"Mrs. Josefa Castro, east side Mexican woman who had pleaded guilty to a felony charge of performing an illegal operation, was yesterday sentenced to Tehachapi state prison for women for a term of from one to five years. Judgment was pronounced by Superior Judge O. K. Morton, who denied the woman's application for probation. . . . Judge Morton, after reading from the report of Probation Officer C. W. Mathews that Mrs. Castro had allegedly performed several such operations upon unwed San Bernardino girls, declared he fully believed that the woman understood the seriousness of her offense at the time she performed the operations. . . ." (Riverside Press, May 30, 1941.)

"Not guilty" was the verdict handed down in the case of the People against Mrs. May Graham, operator of a Madera maternity home and charged with six counts of practicing midwifery without a license. The jury was out less than fifteen minutes. The sensational trial culminated two and one-half days of hearing, first begun in the local justice courtroom, then transferred to the superior courtroom because of the large crowd of interested spectators. . . . Between the clashes of the attorneys, which were very frequent, the district attorney showed the jury that Mrs. Graham was in the habit of handling birth cases in violation of the State Medical Act, which permits only licensed persons to do so, and that the element of being a good samaritan was overshadowed by the fact that she made a nominal charge in each case, taking any sum from a few dollars up to \$15. . . . Thomas P. Hunter, Special Agent for the State Board of Medical Examiners, testified that Mrs. Graham, at the time Mrs. Perez entered the hospital, denied having delivered the baby and also stated that the birth certificate of the Perez baby was not filed until March 7, seventeen days after its birth. . . . Another witness, Ben Camerina, testified that Mrs. Graham, after the charges had been filed, told him to deny everything. . . . Dr. Lee A. Stone, county health officer, testified that he found the home clean, and when asked if there was any danger in having babies without the aid of skilled help, replied that babies' eyes might suffer if not properly washed by skilled persons. . . ." (Madera News, May 29, 1941.) (Previous entries, April and June, 1941.)

"Dr. Levin Osel of Monterey has been named by the Board of Supervisors to take charge of the Plumas County Hospital to succeed Dr. F. H. Bowles, effective July 1. . . ." (Sacramento Bee, June 6, 1941.)